

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RICHARD LOWERY,

Plaintiff(s),

CASE NUMBER: 06-13488
HONORABLE VICTORIA A. ROBERTS

v.

RAY McCLARTY and
RICHARD FITZMAURICE,

Defendant(s).

_____ /

ORDER ADOPTING REPORT AND RECOMMENDATION
OF THE MAGISTRATE JUDGE

On April 25, 2007, Magistrate Judge Donald A. Scheer submitted a Report and Recommendation [**Doc. 17**] recommending that the Court grant Defendants' Motion to Dismiss [**Doc. 9**]. Because the Court has not received objections from any party within the time frame provided for in 28 U.S.C. § 636(b)(1) and E.D. Mich. LR 72.1(d)(3), the Court will adopt the Magistrate Judge's Report and Recommendation. The Court, therefore, GRANTS Defendants' Motion to Dismiss.

IT IS SO ORDERED.

S/Victoria A. Roberts
Victoria A. Roberts
United States District Judge

Dated: July 5, 2007

The undersigned certifies that a copy of this document was served on the attorneys of record and pro se plaintiff by electronic means or U.S. Mail on July 5, 2007.

s/Carol A. Pinegar _____
Deputy Clerk